



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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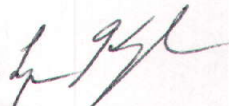
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September 30, 1997

TO: File

FROM: Lynn Kunzler, Senior Reclamation Specialist 

RE: Meeting with Lon Thomas, American Stone, Cotton Thomas Quarry, S/003/024, Box Elder County, Utah

This memo is to document a meeting between the Division and American Stone on September 30, 1997. Those in attendance included Wayne Hedberg, Thomas Munson and Lynn Kunzler from the Division and Lon Thomas from American Stone. The purpose of this meeting was to discuss recent activities at the Cotton Thomas Quarry and a Notice of Non-Compliance issued by the Division to American Stone on September 18, 1997.

The meeting began with an overview of the project based on inspections conducted at the Quarry on June 26, 1997 and August 19, 1997. Photos were shown to document site conditions as observed by Lynn Kunzler during his inspections on those dates.

The first item of discussion was the status of the promised reclamation of the County road sections that had been re-aligned. The Division's understanding of the matter after discussions with Box Elder County personnel was that these sections were to be ripped, regraded as needed and seeded. This was to be done this fall. Mr. Thomas indicated that the County had told him that sufficient vegetation was re-establishing and that he was not to do any additional disturbance. To resolve this apparent conflict, we agreed to contact the County and ask them to submit in writing, their position on the need for any additional County road reclamation work. Their reply will be forwarded to Mr. Thomas.

The next item of discussion was the acreage associated with several pit locations and the network of inter-connecting roads. Disturbed acreage associated with the pits and roads is approximately 25 acres. The Division prepared a blow-up of a topographic map showing the approximate locations of the roads and pit areas as observed during the August 19, 1997 inspection (a copy was given to Mr. Thomas). Mr. Thomas expressed concerns over our inclusion (as part of the disturbed area estimate) of roads on his property that will have a post-mining land use. We explained that roads which are constructed and/or maintained to provide access to mining areas, are considered part of the mining related disturbance. Roads that provide mine access do not necessarily need to be reclaimed, provided the land owner can demonstrate a legitimate need for the roads after mining ceases. While roads that have an acceptable post mining land use are considered part of the disturbed acreage, there would be no reclamation surety required to reclaim them.



Memorandum  
S/003/024  
September 30, 1997

We requested that Mr. Thomas provide a copy of his land ownership contract with Bridge Grazing Association (owner of record) that establishes him as the land owner of the mine property. We also asked him to identify the roads which will have a legitimate postmining land use and to include appropriate justification for them to remain. Mr. Thomas agreed to provide this information to the Division by October 6, 1997.

Given that this site will be permitted as a Large Mining Operation, the Non-Compliance Notice required an interim reclamation surety be posted before mining could continue. We agreed to consider adjusting the requested \$50,000 interim surety amount, after we have had an opportunity to evaluate the information provided in Mr. Thomas' forthcoming letter. If we receive the information from Mr. Thomas in a timely manner, we will notify him of the interim surety amount adjustment by October 8, 1997. Mr. Thomas believed he would probably choose a certificate of deposit (CD) as the form of interim surety. He will notify the Division of the bank and contact person for establishing the surety no later than October 16, 1997. The Division will then provide appropriate forms to the bank so that the surety can be set in place by October 20, 1997. Mr. Thomas would deposit the appropriate funds with the bank by October 20th as well.

Discussions regarding the permitting of the site as a large mining operation (LMO) led to the following conclusions:

1. Submittal of a complete LMO by October 20, 1997 as required by the Notice of Non-Compliance is probably not feasible. Mr. Thomas will request an extension of this time frame in writing, stating the reasons why the extension is needed, including, but not limited to: time frames required to obtain soil survey information for completing a vegetation survey (the Division agreed to assist Mr. Thomas in performing this survey), and for developing the operation and reclamation plan.
2. Mr. Thomas will meet with Division personnel on October 6, 1997, to discuss particulars of the permit and to review examples of other permits to assist in completing the Cotton Thomas large mining notice.
3. Mr. Thomas will contact the Natural Resources Conservation Service Office in Tremonton, Utah to obtain any Soil Survey information that they may have for the mine area. The Division will evaluate the soils information and will notify Mr. Thomas of any deficiencies which may require onsite sampling of the soils for additional laboratory analysis.
4. The Division agreed to provide guidance to assist Mr. Thomas in completing the large mine permitting process; however, we advised him that we could not prepare his permit application for him. We indicated that additional enforcement action would likely be suspended, as long as the requested information is provided in a timely manner and we are convinced that Mr. Thomas is giving a good-faith effort to complete the permitting requirements.

jb  
cc: Lon Thomas, American Stone  
Mary Ann Wright, DOGM  
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